

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

Gates, 16-cv-0400-JNE-DTS
Dinkins, 16-cv-1778-JNE-DTS
Tate, 16-cv-1846-JNE-DTS
Lowe, 16-cv-2304-JNE-DTS
Strickland, 16-cv-4355-JNE-DTS
Beamon, 17-cv-0141-JNE-DTS
Gochanour, 17-cv-2168-JNE-DTS
McConnell, 17-cv-3222-JNE-DTS
Weeks, 17-cv-4527-JNE-DTS
Kazogles, 19-cv-0017-JNE-DTS

**DECLARATION OF BENJAMIN W.
HULSE REGARDING
DEFENDANTS' SEVENTH
MOTION TO DISMISS FOR
FAILURE TO COMPLY WITH
PRETRIAL ORDER NO. 23 AND
FED. R. CIV. P. 41(B) OR FOR
LACK OF STANDING**

Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively "Defendants") in this litigation. I submit this declaration in support of Defendants' Seventh Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and Fed. R. Civ. P. 41(b) or For Lack of Standing. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a copy of the obituary of plaintiff Danny Gates, available online at <https://www.legacy.com/obituaries/limaohio/obituary.aspx?page=lifestory&pid=184575869>.

3. Attached as Exhibit B is a copy of the obituary of plaintiff Alice Dinkins, available online at <https://bairdfuneralhomedundee.com/tribute/details/414/Alice-Dinkins/obituary.html>.

4. Attached as Exhibit C is a copy of the obituary of plaintiff Evelyn Tate, available online at <https://www.legacy.com/funeral-homes/obituaries/name/mrs-evelyn-tate-obituary?pid=186089275&v=batesville&view=guestbook>.

5. Attached as Exhibit D is a copy of the obituary of plaintiff Carol Lowe, available online at <https://www.newcomerdayton.com/Obituary/145072/Carol-Lowe/Dayton-Ohio>.

6. Attached as Exhibit E is a copy of the obituary of plaintiff Cecelia Strickland, available online at <https://www.viloniafuneralhome.com/notices/Cecelia-Strickland>.

7. Attached as Exhibit F is a copy of the obituary of plaintiff Rene A. Beamon, available online at <https://www.legacy.com/obituaries/houmatoday/obituary.aspx?n=rene-beamon&pid=190423123&fhid=14170>.

8. Attached as Exhibit G is a copy of the obituary of plaintiff Anna Gochanour, available online at <https://www.domoneyfuneralhome.com/anna-gochanour>.

9. Attached as Exhibit H is a copy of the obituary of plaintiff Edna McConnell, available at <http://www.legacy.com/obituaries/erietimesnews/obituary.aspx?n=edna-c-king-mcconnell&pid=190821224&fhid=8454>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 7th day of March, 2019.

Dated: March 7, 2019

Respectfully submitted,

s/Benjamin W. Hulse

Jerry W. Blackwell (MN #186867)

Benjamin W. Hulse (MN #0390952)

Mary S. Young (MN #0392781)

BLACKWELL BURKE P.A.

431 South Seventh Street, Suite 2500

Minneapolis, MN 55415

Phone: (612) 343-3200

Fax: (612) 343-3205

Email: bhulse@blackwellburke.com

***Counsel for Defendants 3M Company
and Arizant Healthcare Inc.***